

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JAMES A. STERLING,  
a/k/a "Goldy,"

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/15/12

SEALED INDICTMENT

12 Cr.

12 CRIM 627

COUNT ONE

The Grand Jury charges:

1. From at least in or about February 2012, up to and including June 2012, in the Southern District of New York and elsewhere, JAMES A. STERLING, a/k/a "Goldy," the defendant, and others known and unknown, intentionally and knowingly, did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JAMES A. STERLING, a/k/a "Goldy," the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was 100 grams and more of mixtures and substances containing a

JUDGE OETKEN

detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

**FORFEITURE ALLEGATION**

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JAMES A. STERLING, a/k/a "Goldy," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting and derived from any proceeds the defendant obtained directly and indirectly as a result of the offense and any and all property used and intended to be used in any manner and part to commit and to facilitate the commission of the offense alleged in Count One of this Indictment.

**Substitute Asset Provision**

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

A handwritten signature in cursive script, appearing to read "Michael T. Wall", written in black ink above a horizontal line.

FOREPERSON

A handwritten signature in cursive script, appearing to read "Preet Bharara", written in black ink above a horizontal line.

PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

JAMES A. STERLING,

Defendant.

---

INDICTMENT

12 Cr.

(21 U.S.C. § 846)

*Michael Tull*

Foreperson.

PREET BHARARA

United States Attorney.

---

8-15-12  
WFO

Filed Indictment, Under Seal A/Wissued.

Peck  
U.S.M.J.